

**CLAIMS:**

Please amend claims 1 and 7-11, as follows:

1. (Twice Amended) A drainage system grate assembly for covering a watercourse of a drainage system, the drainage system assembly comprising:

a frame ~~physically distinct with respect to but operable to be~~ set within and surrounding the watercourse ~~and span at least two opposing edges of the watercourse;~~

a grate ~~physically distinct with respect to but operable to be~~ set within the frame and including -

at least one tread bar for allowing a person or vehicle to traverse over the watercourse,

at least one crossbar spanning the watercourse and supported at opposing ends by the frame and supporting the tread bars, and

a flange protruding substantially horizontally from at least one crossbar adjacent a lower-most surface of the at least one crossbar; and

a locking element ~~operable to be~~ secured to the flange and ~~contact~~ contacting the frame in order to secure the grate within the frame ~~wherein the locking element is physically distinct with respect to both the frame and the grate.~~

2. (Original) The drainage system grate assembly as set forth in claim 1, wherein the frame includes ledges for supporting the crossbars.

3. (Previously Amended) The drainage system grate assembly as set forth in claim 1, wherein the frame includes downwardly extending shelves for engaging the locking element.

4. (Original) The drainage system grate assembly as set forth in claim 1, wherein each crossbar includes at least one channel for supporting the tread bars therein.

5. (Original) The drainage system grate assembly as set forth in claim 4, wherein each crossbar includes a slot along its length of sufficient depth so as to meet each channel and allow the tread bars to be secured to the crossbar by welding a bead along the slot.

6. (Original) The drainage system grate assembly as set forth in claim 1, wherein each crossbar includes a slanted side adjacent the flange.

7. (Currently Amended) The drainage system grate assembly as set forth in claim 1, wherein ~~the flange is substantially horizontal~~ an upper-most surface of the grate does not extend substantially above an upper-most surface of the frame.

8. (Currently Amended) The drainage system grate assembly as set forth in claim 1, wherein each crossbar includes a slanted side adjacent a substantially vertical sidewall with both the slanted side and the vertical sidewall being opposite the flange.

9. (Twice Amended) The drainage system grate assembly as set forth in claim 3, wherein the flange includes a hole operable to receive a bolt to secure the grate to the locking element and in turn secure the grate within the frame, such that as the bolt is rotated the locking element is drawn upwardly thereby reducing a distance between the grate and the locking element until the frame is captured between the grate and the locking element.

10. (Twice Amended) The drainage system grate assembly as set forth in claim 9, wherein the locking element includes a substantially horizontal member operable to receive the bolt and at least one substantially vertical member ~~operable to engage~~ engaging the frame by sliding upwardly and behind the shelves.

11. (Twice Amended) The drainage system grate assembly as set forth in claim 3, wherein the locking element is a flat bar attached to the grate adjacent a center of the grate for spanning the watercourse and the frame below the shelves of the frame.

12. (Original) The drainage system grate assembly as set forth in claim 1, wherein the locking element includes a nut retainer.

13-20. (Previously Cancelled)

21-26. (Withdrawn)

Please add new claims 27-32, as follows:

27. (New) A drainage system grate assembly for covering a watercourse of a drainage system, the drainage system grate assembly comprising:

a frame set within and spanning at least two opposing edges of the watercourse and including -

at least one upwardly facing ledge offset below an upper-most surface of the frame, and

a least one downwardly extending shelf below the ledge and along the watercourse;

a grate set within and supported by the frame, such that an upper-most surface of the grate does not extend substantially above the upper-most surface of the frame and including -  
at least one tread bar for allowing a person or vehicle to traverse over the watercourse,  
at least one crossbar spanning the frame, seated below the upper-most surface of the frame, resting atop and supported by the ledge, and supporting the tread bars, and  
a flange protruding substantially horizontally adjacent a lower-most surface of at least one crossbar; and  
a locking element secured to the flange and engaging the frame in order to secure the grate within the frame.

28. (New) The drainage system grate assembly as set forth in claim 27, wherein the flange includes a hole operable to receive a bolt, such that as the bolt is rotated the locking element is drawn upwardly reducing a distance between the grate and the locking element until the frame is squeezed between the grate and the locking element thereby rigidly holding the grate within the frame.

29. (New) The drainage system grate assembly as set forth in claim 28, wherein the locking element includes a substantially horizontal member through which the bolt penetrates and at least one substantially vertical member which engages the frame by sliding upwardly and behind the shelf.

30. (New) The drainage system grate assembly as set forth in claim 29, wherein the locking element includes a nut retainer located below the horizontal member

for holding a nut and preventing rotation thereof during installation of the drainage system grate assembly.

31. (New) A drainage system grate assembly for covering a watercourse of a drainage system, the drainage system grate assembly comprising:

a frame set within and spanning at least two opposing edges of the watercourse

and including -

at least one upwardly facing ledge offset below an upper-most surface of the frame, and

a least one downwardly projecting shelf extending away from and below the ledge along the watercourse;

a grate set within and supported by the frame, such that an upper-most surface of the grate does not extend substantially above the upper-most surface of the frame and including -

at least one tread bar for allowing a person or vehicle to traverse over the watercourse,

at least one crossbar spanning the frame, seated below the upper-most surface of the frame, resting atop and supported by the ledge, and supporting the tread bars, and

a flange protruding substantially horizontally adjacent a lower-most surface of at least one crossbar and including a hole through which a bolt penetrates in order to secure the grate to the frame; and

a locking element secured to the flange by the bolt and including -

a substantially horizontal member through which the bolt penetrates, and

at least one substantially vertical member which engages the frame by sliding upwardly and behind the shelf as the bolt is rotated, such that

the locking element is drawn upwardly reducing a distance between the grate and the locking element until the frame is squeezed between the grate and the locking element thereby rigidly holding the grate within the frame, and  
a nut retainer located below the horizontal member.

32. (New) The drainage system grate assembly as set forth in claim 31, wherein the locking element is isolated from the grate by the frame such that the locking element does not contact the grate.